



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,716	09/17/2003	Richard Huang	MR1793-129	2226
4586	7590	09/01/2006	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			LEUNG, WAI LUN	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 09/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

58

Office Action Summary	Application No. 10/663,716	Applicant(s) HUANG, RICHARD	
	Examiner Danny Wai Lun Leung	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent

Number 7,058,309 to Eisenberger et al.

Regarding to claim 1, Eisenberger discloses a duplex optical transmission-reception module (*fig 1*) comprising:

(a) an optical fiber (*5, fig 1*);

(b) a light-receiving element (*optoelectronic receiving unit 4, fig 1*) which corresponds to the optical fiber for receiving optical energy transmitted through the optical fiber from a distal end (*col 4, ln 36-43*) and converting the optical energy into electric energy which is output from an output terminal (*col 4, ln 44-51*); and

(c) a light-emitting element (*transmitting unit 3, fig 1*) connected on the light-receiving element (*as shown in fig 1*), a center of the light-emitting element being projectively aligned with a center of the end face of the optical fiber (*col 4, ln 8-17*), whereby when the light-emitting element is energized to project light beam outward, the light beam is projected right to the end face of the optical fiber and input to the optical fiber (*col 4, ln 52-63*), the light beam being

Art Unit: 2613

transmitted along the optical fiber to the distal end to be received by another receiver to output a signal (*col 5, ln 38-55 describes full duplex operation for bi-directional data transmission, which inherently require another receiver at the other end of the fiber*) , no refractive element being disposed between the optical fiber, the light-receiving element and the light-emitting element (*fig 1 is analogous to applicant's figure 2, which shows no refractive element; col 4, ln 11-17 stated that there is no need for an optical tee coupler for deflecting the radiation; col 5, ln 5-11 also stated that reflections are avoided*).

As to claim 2, Eisenberger further discloses wherein the light-receiving element is a photodiode (*col 4, ln 23-34 describe optoelectronic receiving unit 4 having a radiation-sensitive layer region, which is by definition a photodiode*).

As to claim 3, Eisenberger further discloses wherein the light-emitting element is a light-emitting diode (*col 5, ln 20-22*).

As to claim 4, Eisenberger further discloses wherein the optical fiber is connected with a connector which is correspondingly inserted in a first end of a housing (*top of housing 1, fig 1*), the light-receiving element being firmly disposed at a second end of the housing (*bottom of housing 1, fig 1*).

As to claim 5, Eisenberger further discloses wherein a focusing section (*7, fig 1*) is connected on top face of the light-emitting element (*3, fig 1*), the light beam emitted from the light-emitting element being focused by the focusing section (*col 4, ln 59-63*) to project the end face (*6, fig 1*) of the optical fiber (*5, fig 2*).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Wai Lun Leung whose telephone number is (571) 272-5504. The examiner can normally be reached on 9:30am-7:00pm Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Vanderpuye can be reached on (571) 272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DWL
August 29, 2006


KENNETH VANDERPUYE
SUPERVISORY PATENT EXAMINER